

REMARKS

Entry of this amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-6 are pending and stand rejected. Claims 1, 5 and 6 have been amended.

Claims 1 and 6 are objected to for containing informalities.

Applicant thanks the examiner for his observation and has amended the claims as suggested.

Having amended the claims as suggested, applicant believes that the reason for the objection has been overcome and respectfully requests that the objection be withdrawn.

Claims 1-6 stand rejected under 35 USC §102(e) as being anticipated by O'Donnell (USP no. 6,020,543).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims.

O'Donnell describes a method for modeling a structure “comprising the steps of initializing a parametric component of a hybrid model from a volumetric image, the volumetric image comprising image planes, creating starting points for two dimensional segmentations at intersections between the parametric component and the image planes, segmenting a boundary of the structure by applying active contours ... and locally fitting the hybrid model to the data set to represent the structure.” (See Abstract).

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference.

Contrary to the statements found in the Office Action, O'Donnell fails to describe “searching, ... along a search line (n_i) which traverses the mesh and extends in the image,” as is described in the claims. Rather, O'Donnell teaches searching along a path of lowest energy between nodes/pixels (see col. 7, lines 11-13, which state, “[a]path of lowest energy between pixels/nodes is determined as described above under the heading of State 2.” However, the Office Action fails to show or describe how the “path of lowest energy” is analogous to the claim element a “search line which traverses the mesh and extends in the image.”

In fact, the two paths are neither analogous nor comparable, as the path described in O'Donnell occurs between pixels/nodes whereas the path in the instant invention is

formed based on the direction of the projection of a normal on the image plane. (see p. 9, lines 9-15).

.Accordingly, O'Donnell cannot be said to anticipate the present invention, because O'Donnell fails to disclose each and every element recited.

Applicant believes that the reason for the rejection of the claim has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to independent claims 5 and 6, these claims recite subject matter similar to that recited in claim 1 and was rejected for the same reason used in rejecting claim 1. Thus, the remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of claims 5 and 6. For the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, herein, in response to the rejection of claims 5 and 6, applicant submits that the reason for rejecting these claims has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard the remaining claims these claims ultimately depend from independent claim 1, which has been shown to contain subject matter not disclosed by, and allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

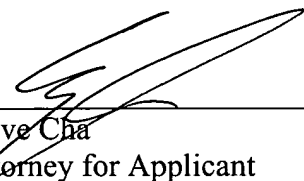
Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

John Vodopia
Registration No. 36,299

Date: May 23, 2005

By: 
Steve Cha
Attorney for Applicant
Registration No. 44,069

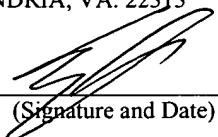
Mail all correspondence to:

John Vodopia, Registration No. 36,299
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313 on May 23, 2005.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)